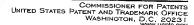


UNITED STATES PATENT AND TRADEMARK OFFICE



Paper No.

FISH & NEAVE 1251 AVENUE OF THE AMERICAS 50TH FLOOR NEW YORK, NY 10020-1105

COPY MAILED

DEC 2 7 2002

In re Application of Joseph F. Pinkerton Application No. 09/885,367 Filed: June 20, 2001 OFFICE OF PETITIONS

Filed: June 20, 2001 Attorney Docket No. JP-1 ON PETITION

This is a decision on the petition, filed December 24, 2002, under 37 CFR 1.313(c)(2) to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED**.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

Petitioner is advised that the issue fee paid on December 13, 2002 in the above-identified application cannot be refunded. If, however, the above-identified application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.¹

Telephone inquiries should be directed to Wan Laymon at (703) 306-5685.

After receipt of the application in the Office of Petitions, the application will be forwarded to Technology Center AU 2834 for processing of the request for continued examination under 37 CFR 1.114 and for consideration of the currently filed IDS.

Lead Petitions Examiner

Office of Petitions

Office of the Deputy Commissioner

for Patent Examination Policy

The request to apply the issue fee to the new Notice must be made in writing and should be accompanied by the new Issue Fee Transmittal Form PTOL-85(b), along with a copy of this decision. Additionally, if the issue fee has increased from the previously paid issue fee, the balance due must be submitted. Failure to timely request in writing that the previously paid issue fee be applied towards the new Notice and payment of any balance due will result in the abandonment of the application.